



California Fair Political Practices Commission

August 25, 1992

Jane Granzer
300-G Avenue
Coronado, CA 92118

Re: Your Request for Informal Assistance
Our File No. I-92-422

Dear Ms. Granzer:

You have requested advice concerning the campaign disclosure provisions of the Political Reform Act (the "Act").¹ You have not identified a particular candidate or committee on whose behalf you are requesting this advice. Therefore, we treat your letter as a request for informal assistance pursuant to Regulation 18329(c).²

QUESTION

What campaign disclosure forms are required to be filed by candidates who establish a jointly controlled committee.

CONCLUSION

Before soliciting or raising funds, each candidate must file a Candidate Intention Statement (Form 501). In addition, a Campaign Bank Account Statement (Form 502) must be filed within 10 days of opening a bank account. If the candidates receive contributions of \$1,000 or more in connection with their election, they must form a committee and file a Statement of Organization (Form 410) within 10 days of receiving \$1,000. Candidates with a controlled committee disclose contributions received and expenditures made on an Officeholder, Candidate, and Controlled Committee Campaign Statement--Long Form (Form 490). Loan activity

¹ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

² Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Section 83114; Regulation 18329(c)(3).)

is reported by the committee on Schedule B of the Form 490 as described in the analysis below.

FACTS

You are the treasurer for three candidates who wish to form a joint committee for their election to city office. You have stated that there are no local limitations on contributions for these candidates and that the election is not a special election.

ANALYSIS

Section 85200 requires candidates to file a Candidate Intention Statement (Form 501) prior to soliciting or accepting any contributions. In addition, a campaign bank account must be established at a financial institution located in California. Within 10 days of establishing the campaign bank account, the candidate must file a Campaign Bank Account Statement (Form 502) with the Commission. (Section 85201(b).)

Section 82013(a) defines "committee" as any person or combination of persons who directly or indirectly receives contributions totaling \$1,000 or more in a calendar year. Section 84101(a) requires every committee qualified under Section 82013(a) to file a Statement of Organization (Form 410) with the Secretary of State within 10 days after receiving contributions totaling \$1,000 or more in a calendar year. In addition to filing the original and one copy of Form 410 with the Secretary of State, the committee must file a copy with the local filing officer with whom it will file the originals of its campaign reports.

Committees controlled by candidates are required to file periodic campaign reports (Form 490) disclosing financial activity during the period covered by the report. (Campaign Disclosure Information Manual A, page 18.)

According to the facts presented in your letter and in our telephone conversations, it appears that the activities of the candidates would require the following:

- * Each candidate must file a Form 501 and Form 502. The bank account number on the Form 502 will be the same for all three candidates.
- * The committee must file a Form 410 signed by each candidate and the treasurer.
- * The committee must file a complete Form 490 attaching three cover pages--one cover page for each candidate's signature.
- * Each candidate must file a Form 490 consisting of a cover page, allocation page (if applicable), and a summary page. The cover page will contain appropriate information in item II referencing the name of the committee.

Form 501 does not require the disclosure of loans. Loans received are reported on Schedule B, Part I of the Form 490. Loans that are repaid or forgiven are shown on Schedule B, Part II of the Form 490 (refer to Information Manual A, page 27.)

Approximately 10 days after receiving the Statement of Organization (Form 410), the Secretary of State will issue the committee an identification number. This number is required on campaign statements filed under the Act. If you need information concerning a tax identification number (for example, if your bank requires an identification number to open a bank account) you will need to contact the Franchise Tax Board at 1-800-338-0505 or the Internal Revenue Service at 1-800-829-1040.

If you have additional questions concerning these matters, please contact me at (916) 322-5662.

Sincerely,

Scott Hallabrin
Assistant Chief Counsel

A handwritten signature in cursive script, appearing to read "Sandra L. Taylor".

By: Sandra L. Taylor
Political Reform Consultant

ADVICE LETTER # I-92-422 REQUESTER: GRABER

This letter was written by: Sandra Taylor

The 21 working-days expires: N/A

However, a response has been requested by: —

Upon review, return to: Sandra Taylor

DIVISION CHIEF, TA&A

CW APPROVED

Comments to Executive Director and Chairman: _____

GENERAL COUNSEL:

AP APPROVED

X Without change

____ See changes noted in letter

General Comments/Thoughts: _____

____ NOT APPROVED

Reasons/Comments: _____

EXECUTIVE DIRECTOR:

____ APPROVED

____ Without change

____ See changes noted in letter

General Comments/Thoughts: _____

____ NOT APPROVED

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Sincerely,

Scott Hallabrin
Assistant Chief Counsel

By: Sandra L. Taylor
Political Reform Consultant

21 July 92

To: Fair Political Practices Commission:
Technical Assistance & Analysis Div.
P.O. Box 807
Sacramento, California 95812-0807
Attn: Sandra

From: Jane Granzer
300-G-Avenue
Coronado, California

Re: Detailed Campaign Information

While at the San Diego County Registrar's Office, seeking clarification on some issues, Linda called you. Three candidates, one running for Coronado Mayor and two for Council seats, wish to form a committee which was discussed with you. Linda suggested that I write to you for some detailed clarification on how to fill out some of the reports. As Treasurer, I do not want to jeopardize any of the candidates with my mistakes.

The Coronado City Clerk states that there is no limitation on contributions and verified this with the City Manager which she told me today: all contributions over \$5.00 must be accounted.

The election will be on 3 November 92. I especially need to know how to handle forms 501 & 502 which we (Linda) neglected to clarify. On form 501-how do candidates make and get return on loans? Is the Tax Board the one to contact for I.D. number or does this come from the Secretary of State from form number 410?

I appreciate your help and will Carla,
and all detailed information

Re: I didn't call Linda to get Granzer's name because I remember talking to her and she is this 90-year old very confused lady and means with advice because she can't remember or understand everything over the phone.

Sandi

Informal - doesn't identify candidates, but maybe Linda Bunch can give you Granzer's telephone number so you can call and help her out - see if she will withdraw and if the letter.